

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	
-v.-	:	DECLARATION IN SUPPORT
	:	OF FINAL ORDER OF
	:	<u>FORFEITURE</u>
JOSHUA ADAM SCHULTE,	:	
	:	S2 17 Cr. 548 (JMF)
	:	
Defendant.	:	
	:	
-----	X	

Michael D. Lockard, pursuant to Title 28, United States Code, Section 1746,
declares under penalty of perjury as follows:

1. I am an Assistant United States Attorney in the Office of Damian Williams, United States Attorney for the Southern District of New York, and attorney for the Government herein. I am responsible for the above-captioned matter, and as such, I am familiar with the facts and circumstances of this proceeding. This declaration is submitted in support of the Government's submission for the entry of a Final Order of Forfeiture in the above-captioned case.

2. On or about March 5, 2024, the Court entered a Preliminary Order of Forfeiture as to Specific Property (the "Preliminary Order of Forfeiture") (D.E. 1135) with respect to JOSHUA ADAM SCHULTE (the "Defendant"), forfeiting to the United States all right, title and interest of the Defendant in the following specific property:

- a. One (1) Black Tower;
- b. One (1) Western Digital 1 TB HDD S/N: WCAU45355046;
- c. One (1) Western Digital 1 TB HDD S/N: WCAW32328401;
- d. One (1) Western Digital 1 TB HDD S/N: WCAU42139599;
- e. One (1) Western Digital 1 TB HDD S/N: WCAU45276871;

- f. One (1) Samsung 1 TB HDD S/N: S2AEJ18Z4408961;
- g. One (1) 160 GB Western Digital HDD S/N: WMAU2U189169;
- h. One (1) 640 GB Western Digital HDD S/N: WCASY0416918; and
- i. One (1) Western Digital 1 TB HDD S/N: WCAW32653861;

recovered from a search of the Defendant's residence in New York, New York on or about March 15, 2017 (items a through i, collectively, the "Specific Property").

3. The Notice of Forfeiture and the intent of the Government to dispose of the Specific Property was posted on an official government internet site (www.forfeiture.gov) beginning on September 11, 2024 for thirty (30) consecutive days, through October 10, 2024, pursuant to Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions, and proof of such publication was filed with the Clerk of the Court DATE (D.E. ____).

4. Since final publication of the Notice of Forfeiture, thirty (30) days have expired and no petitions or claims to contest the forfeiture of the Specific Property have been filed.

5. The Defendant is the only person and/or entity known by the Government to have a potential interest in the Specific Property.

6. Accordingly, the Government requests that the Court enter the proposed Final Order of Forfeiture.

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7. No previous application for the relief requested herein has been sought.

Dated: New York, New York
June 18, 2025

JAY CLAYTON
United States Attorney for the
Southern District of New York

By: /s/
Michael D. Lockard
Assistant United States Attorney
26 Federal Plaza, 38th Floor
New York, New York 10278
(212) 637-2193

Attachment 1

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
COURT CASE NUMBER: S2 17 CR. 548 (JMF); NOTICE OF FORFEITURE**

Notice is hereby given that on March 05, 2024, in the case of U.S. v. Joshua Adam Schulte, Court Case Number S2 17 CR. 548 (JMF), the United States District Court for the Southern District of New York entered an Order condemning and forfeiting the following property to the United States of America:

The following miscellaneous electronic equipment that constitutes property used or intended to be used to commit or to promote the commission of the offenses charged in Counts Twelve through Fourteen of the S2 Indictment and personal property that was used or intended to be used to commit or to facilitate the commission of the conduct charged in Counts Five through Eight of the S3 Indictment (21-FBI-011736):

One (1) Black Tower;
One (1) Western Digital 1 TB HDD S/N: WCAU45355046;
One (1) Western Digital 1 TB HDD S/N: WCAW32328401;
One (1) Western Digital 1 TB HDD S/N: WCAU42139599;
One (1) Western Digital 1 TB HDD S/N: WCAU45276871;
One (1) Samsung 1 TB HDD S/N: S2AEJ18Z4408961;
One (1) 160 GB Western Digital HDD S/N: WMAU2U189169;
One (1) 640 GB Western Digital HDD S/N: WCASY0416918; and
One (1) Western Digital 1 TB HDD S/N: WCAW32653861

The United States hereby gives notice of its intent to dispose of the forfeited property in such manner as the United States Attorney General may direct. Any person, other than the defendant(s) in this case, claiming interest in the forfeited property must file an ancillary petition within 60 days of the first date of publication (September 11, 2024) of this Notice on this official government internet web site, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure and 21 U.S.C. § 853(n)(1). The ancillary petition must be filed with the Clerk of the Court, United States District Court, 500 Pearl Street, Room 120, New York, NY 10007, and a copy served upon Assistant United States Attorney Michael Lockard, Jacob K. Javits Federal Building, 26 Federal Plaza, New York, NY 10278. The ancillary petition shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property, the time and circumstances of the petitioner's acquisition of the right, title and interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought, pursuant to 21 U.S.C. § 853(n).

Following the Court's disposition of all ancillary petitions filed, or if no such petitions are filed, following the expiration of the period specified above for the filing of such ancillary petitions, the United States shall have clear title to the property and may warrant good title to any subsequent purchaser or transferee.

The government may also consider granting petitions for remission or mitigation, which pardon all or part of the property from the forfeiture. A petition must include a description of your interest in the property supported by documentation; include any facts you believe justify the return of the property; and be signed under oath, subject to the penalty of perjury, or meet the requirements of an unsworn statement under penalty of perjury. See 28 U.S.C. Section 1746. For the regulations pertaining to remission or mitigation of the forfeiture, see 28 C.F.R. Sections 9.1 - 9.9. The criteria for remission of the forfeiture are found at 28 C.F.R. Section 9.5(a). The criteria for mitigation of the forfeiture are found at 28 C.F.R. Section 9.5(b). The petition for remission need not be made in any particular form and may be filed online or in writing. You should file a petition for remission not later than 11:59 PM EST 30 days after the date of final publication of this notice. See 28 C.F.R. Section 9.3(a). The <https://www.forfeiture.gov/FilingPetition.htm> website provides access to a standard petition for remission form that may be mailed and the link to file a petition for remission online. If you cannot find the desired assets online, you must file your petition for remission in writing by sending it to Assistant United States Attorney Michael Lockard, Jacob K. Javits Federal Building, 26 Federal Plaza, New York, NY 10278. This website provides answers to frequently asked questions (FAQs) about filing a petition for remission. You may file both an ancillary petition with the court and a petition for remission or mitigation.



Advertisement Certification Report

The Notice of Publication was available on the www.forfeiture.gov web site for at least 18 hours per day between September 11, 2024 and October 10, 2024. Below is a summary report that identifies the uptime for each day within the publication period and reports the results of the web monitoring system's daily check that verifies that the advertisement was available each day.

U.S. v. Joshua Adam Schulte

Court Case No: S2 17 CR. 548 (JMF)
For Asset ID(s): See Attached Advertisement Copy

Consecutive Calendar Day Count	Date Advertisement Appeared on the Web Site	Total Hours Web Site was Available during Calendar Day	Verification that Advertisement existed on Web Site
1	09/11/2024	24.0	Verified
2	09/12/2024	23.9	Verified
3	09/13/2024	24.0	Verified
4	09/14/2024	23.9	Verified
5	09/15/2024	23.9	Verified
6	09/16/2024	23.9	Verified
7	09/17/2024	23.9	Verified
8	09/18/2024	23.9	Verified
9	09/19/2024	23.9	Verified
10	09/20/2024	23.9	Verified
11	09/21/2024	23.9	Verified
12	09/22/2024	23.8	Verified
13	09/23/2024	23.9	Verified
14	09/24/2024	23.9	Verified
15	09/25/2024	23.9	Verified
16	09/26/2024	23.9	Verified
17	09/27/2024	24.0	Verified
18	09/28/2024	24.0	Verified
19	09/29/2024	24.0	Verified
20	09/30/2024	24.0	Verified
21	10/01/2024	23.9	Verified
22	10/02/2024	23.9	Verified
23	10/03/2024	23.9	Verified
24	10/04/2024	23.9	Verified
25	10/05/2024	23.9	Verified
26	10/06/2024	23.9	Verified
27	10/07/2024	24.0	Verified
28	10/08/2024	23.9	Verified
29	10/09/2024	24.0	Verified
30	10/10/2024	24.0	Verified

Additional log information is available and kept in the archives for 15 years after the asset has been disposed.